

United States District Court
Southern District of Texas
FILED

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

JUL 13 2018

for the

Southern District of Texas

, Clerk of Court

United States of America

v.

Josue Taedo LOPEZ

DOB: 1995

Citizenship: USA

Case No.

M-18-1431-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 12, 2018 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC § 952

Illegal Importation of a Controlled Substance / Approximately 5.44 Kilograms
of Cocaine, a Schedule II Controlled Substance

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.approved by
AUSA [Signature]

Sworn to before me and signed in my presence.

Date: 07/13/2018City and state: McAllen, Texas

[Signature]

Complainant's signature

Bradley M. Gaines II, HSI Special Agent

Printed name and title

[Signature]

Judge's signature

U.S. Magistrate Judge J. Scott Hacker

Printed name and title

Attachment "A"

I, Bradley M. Gaines II, am a Special Agent with the United States (U.S.) Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), and have knowledge of the following facts:

1. On July 12, 2018, HSI McAllen received a request for investigative assistance from the U.S. Customs and Border Protection (CBP) Office of Field Operations (OFO) at the Progreso Port of Entry (POE) in Progreso, Texas. CBP Officers (CBPOs) detained Josue Tadeo LOPEZ (hereafter referred to as "LOPEZ"), a United States Citizen, after he attempted to enter the U.S. with approximately 5.44 kilograms (kg) of cocaine concealed within the center console and dashboard of a Dodge Charger (hereafter referred to as "Load Vehicle"). The Load Vehicle is registered and insured to LOPEZ.
2. During Primary Inspection, CBP Officers (CBPOs) obtained a negative oral declaration for fruits, food, alcohol, tobacco, drugs, weapons and currency over \$10,000.00 from LOPEZ. LOPEZ claimed ownership of the Load Vehicle. CBPOs observed that LOPEZ was not making eye contact during questioning. Documented crossing history of the Load Vehicle revealed only a single outbound crossing on July 10, 2018. Due to the lack of eye contact during questioning and the lack of documented crossing history, CBPOs referred the Load Vehicle for Secondary Inspection.
3. During Secondary Inspection, LOPEZ claimed ownership of the Load Vehicle. LOPEZ stated that had traveled to Mexico to visit family. LOPEZ stated that he was travelling home to Houston, Texas. During questioning, CBPOs observed that LOPEZ was avoiding eye contact and would repeat each question asked by CBPOs.
4. During a physical search of the Load Vehicle, CBPOs discovered six (6) vacuum sealed packages concealed within the center console and the dashboard of the Load Vehicle. CBPOs field tested the substance inside the packages, which was positive for the characteristics of cocaine.
5. HSI SAs responded to the Progreso POE to assist in the investigation. HSI SAs interviewed LOPEZ who admitted (Post-Miranda Warning) that he was hired by an individual to smuggle cocaine in to the U.S and would be compensated.
6. LOPEZ will be charged with Illegal Importation of a Controlled Substance, in violation of 21 USC § 952.